

Serial Number: 09/926,356

Group Art Unit: 2876

REMARKS

By the present amendment, claims 33-35 have been amended to clarify that the permanent security facility is such that said security facility can be checked multiple times. Support for this amendment is directly derived from the original application, in particular the paragraph bridging pages 7-8. It is submitted that the amendment should be entered, because this recitation only makes explicit the meaning of "permanent" directly derived from the original application, and therefore, the amendment does not raise any new issues.

In addition, by the present amendment, the preamble of claim 32 has been corrected, and claims 33 and 35 have been rewritten in independent form by incorporating therein the features of claims 19 and 32, respectively.

Claims 19-35 are pending in the present application. Independent claim 19 and dependent claims 20-32 are directed to an authenticity evaluation method of substrates having a security facility, independent claims 33 and 35 are directed to a permanent security facility for use as security in substrates, and independent claim 34 is directed to a security paper.

In this second Office Action, claims 19-32 are indicated to be allowed.

Since claim 32 is an independent claim, Applicants have amended the preamble of independent claim 32 to recite "An authenticity evaluation system" instead of "The authenticity evaluation system." It is submitted that the allowability of claims 19-32 is not affected by this correction.

Next, in the Office Action, claims 33 and 35 are objected to as method claims incorrectly dependent on claims 19 and 32.

The objection is respectfully traversed. Claims 33 and 35 are independent claims. The

Serial Number: 09/926,356

Group Art Unit: 2876

reference to the authentication method of claims 19 or 32 in claims 33 and 35 is only for purpose of explaining use of the security facility to which independent claims 33 and 35 are directed. By the present amendment, claims 33 and 35 have been amended to replace the reference to claims 19 and 32, respectively, by a recitation of the corresponding process. Accordingly, it is submitted that the objection should be withdrawn.

Next, in the Office Action, claim 34 is rejected under 35 U.S.C. 102(b) as anticipated by Niepolomski (US 4,870,260). It is alleged in the Office Action that the card of Niepolomski may not be completely destroyed upon first use so that it may be reused.

The rejection is respectfully traversed. Niepolomski concerns a debit card in which safety fuses (called diodes by Niepolomski) are destroyed upon use of the debit card, thereby erasing the associated intelligence. In contrast, the security facility according to the present invention is permanent, in that it can be checked multiple times. It is noted that the term "permanent" has been made explicit by reciting that the security facility can be checked multiple times. An advantage of the permanent security facility of the present claimed invention is that it can be used in situations requiring many authenticity evaluations, such as banknotes. This feature of the presently claimed invention and its advantages are completely impossible with the card of Niepolomski in which use of the card results in the destruction of the diodes checked. Therefore, present claim 34 is not anticipated by, and not obvious over, Niepolomski.

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

Serial Number: 09/926,356

Group Art Unit: 2876

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS &amp; ADRIAN, LLP



Nicolas E. Seckel  
Attorney for Applicants  
Reg. No. 44,373

Atty. Docket No. 011369  
1250 Connecticut Avenue NW Suite 700  
Washington, D.C. 20036  
Tel: (202) 822-1100  
Fax: (202) 822-1111  
Customer No.: 38834  
NES:rep

FAX RECEIVED

OCT 03 2003

TECHNOLOGY CENTER 2800